

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**ERIC DEAN, ET AL.,**

**PLAINTIFFS,**

**VS.**

**CIVIL ACTION NO. 4:04CV281-P-B**

**MS LIFE INSURANCE COMPANY, ET AL.,**

**DEFENDANTS.**

**ORDER**

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

(1) Plaintiffs' Motion to Remand and Motion to Abstain [8-1] is hereby **GRANTED**;

(2) This case is **REMANDED** to the Circuit Court of Humphreys County, Mississippi, **PROVIDED** that plaintiff's counsel notifies the U.S. Bankruptcy Trustee of the pendency of the present action within ten (10) days of the entry of this Order for the purposes of permitting the trustee an opportunity to make an informed election to abandon the claims with respect to Plaintiff Annie Miles and/or seek substitution as the real party-in-interest in the instant action; and

(3) The parties are to file no further pleadings in this matter, including motions to reconsider and the like. Instead, the parties are instructed to seek whatever relief to which they believe themselves entitled in the Courts of the State of Mississippi, as may be appropriate in due course.

**SO ORDERED** this the 21<sup>st</sup> day of July, A.D., 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE